



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUN 9 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

Ms. Jennifer Fletcher
Onyx Environmental Services, L.L.C.
Flanders, NJ 07836

Dear Ms. Fletcher:

Enclosed is the first revision of DOT-E 12448. Please note that the expiration date has been extended for 2 years from the previous expiration date, and references to an "emergency" have been removed from the exemption.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Ryan Posten".

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions and Approvals



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DOT-E 12448
(FIRST REVISION)

EXPIRATION DATE: April 30, 2002

1. GRANTEE: Onyx Environmental Services
Flanders, NJ
2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of anhydrous ammonia in DOT specification cylinders which are not authorized by the Hazardous Materials Regulations (HMR) for the shipment of anhydrous ammonia. The cylinders are being transported to a disposal facility. This exemption provides no relief from any regulation other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.304(a)(2) in that the DOT specification packaging to be used is not authorized, and/or the filling density may be exceeded.
5. BASIS: This exemption is based on the application of Onyx Environmental Services dated March 30, 2000, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonia, anhydrous, liquefied	2.2	UN1005	n/a

JUN 9 2000

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification cylinders containing anhydrous ammonia.

b. Each cylinder must be inspected by a qualified Onyx Environmental Services employee and determined to be in adequate condition for transportation. Only non-leaking cylinders are authorized.

c. Each cylinder must be shipped packed in ice and placed in an open-head drum with the top bung open.

d. Transportation of the cylinders is authorized from crime scenes to proper disposal facilities. Transportation is also authorized to Onyx distribution facilities for temporary storage; however, disposal must be carried out as soon as practicable.

e. Transportation of the cylinders must be by private or contract carrier only. During transportation, the packages must be monitored every 2 hours for leaks.

f. Each cylinder must be equipped with a valve plug.

8. SPECIAL PROVISIONS: No additional requirements other than as required by the HMR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

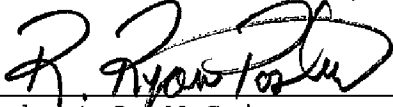
o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:


for Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

JUN 9 2000
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM